

EXHIBIT 1

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

IN RE OPIOID LITIGATION

Index No: 400000/2017

This document relates to:

The County of Nassau, New York v.

Purdue Pharma L.P.,

Case No. 400001/2017

The County of Suffo

Purdue Pharma L.P.,

The People of the State of New York v.

Purdue Pharma L.P.

Case No. 400016/2018

January 23, 2020

9:20 A.M.

EXAMINATION BEFORE TRIAL of LACEY KELLER, an Expert Witness herein, taken by the attorneys for the respective parties, pursuant to Notice, held at the above-stated time and place, before Melissa Leonetti, RPR, a Notary Public of the State of New York.

1 L. KELLER

2 break out the Walmart numbers, you aren't planning
3 to offer an opinion about those broken-out Walmart
4 numbers at trial, fair?

5 A. Correct. Not at this time.

6 Q. Likewise, for tables like table 52 that
7 offer rolled-up numbers for each county in New York,
8 is it fair to say you are not going to offer an
9 opinion at trial that separates out which of those
10 numbers might be attributed to any particular
11 defendant?

12 A. As I have not been asked to amend the
13 report beyond what is shown here.

14 Q. You keep saying you have not been asked
15 to amend your report beyond what it says here --

16 A. I have no plans, sitting here, to amend
17 this to show it in any other way.

18 Q. Turn, if you would, please, to page 7.

19 A. Okay.

20 Q. Paragraph 13 talks about the New York
21 Department of Health prescription monitoring program
22 data, correct?

23 A. Correct.

24 Q. You describe that prescription monitoring
25 data as prescription data that is maintained by the

1 L. KELLER

2 New York Department of Health and widely used by
3 prescribers, pharmacies, and law enforcement
4 agencies to track and exchange patient data,
5 correct?

6 A. Yes. I believe this is a
7 characterization from the PDMP website where they
8 describe the data. But yes, that's what it says
9 here.

10 Q. And do you understand that to be the
11 truth?

12 A. Yes, as I've read it on their website.

13 Q. You also say in paragraph 13 that in 2018
14 it was estimated that the database contained
15 critical information on approximately 150 million
16 patients in New York and 24 other states. Correct?

17 A. Correct. And again, I might have been
18 more accurate to put some sort of reference to the
19 PDMP website here to support these citations.

20 Q. New York's prescription monitoring data
21 includes a variety of information on every
22 prescription for opioids filled in New York going
23 back to roughly 2014; is that fair?

24 MS. CONROY: Objection.

25 A. Yes, I believe so.

1

L. KELLER

2

Q. As you understand that that prescription
data was produced in this litigation, correct?

4

A. Yes. That's why it was made available to
me.

6

Q. As that data was produced in this case,
you can't see the patient name, but each patient
gets a unique identifying number, correct?

9

A. I believe that to be correct. There
might be an additional identifier of the patient in
that data set, maybe a ZIP code, but I can't
remember without looking at the data.

13

Q. Do you understand that the prescription
monitoring data that was produced in this case also
includes the medication and the dose for each
prescription?

17

A. Yes. It would list what product was
being prescribed and as well as the number of dosage
units or doses in that prescription, yes.

20

Q. The prescription data that has been
produced in this case also includes the date the
prescription was filled, the doctor who wrote it,
the pharmacy that filled it?

24

A. Yes, I believe all of these fields are in
there.